
OLR Bill Analysis

sSB 104

AN ACT PROVIDING FINANCIAL RELIEF TO NURSING HOMES FOR UNCOMPENSATED CARE.

SUMMARY:

This bill reduces resident day user fees paid by chronic and convalescent nursing homes (CCNHs) and rest homes with nursing supervision (RHNSs) that have not yet received Medicaid payments from the Department of Social Services (DSS) for providing care for individuals who have filed Medicaid applications.

EFFECTIVE DATE: July 1, 2014

CALCULATION OF RESIDENT DAY USER FEES

Most CCNHs and RHNSs must pay resident day user fees quarterly to the Department of Revenue Services (DRS). DSS calculates the fees based on the number of resident days during each calendar quarter. A “resident day” is a day of nursing home care service provided to an individual, including the day a resident is admitted, days the facility reserves the resident’s bed during a hospital stay, and the day a resident dies. By law, Medicare days (i.e., days of service provided to someone eligible for Medicare payments) are not counted as resident days. This bill also excludes “Medicaid pending days,” which the bill defines as days of nursing home care service provided to an individual who has filed an application for benefits under the federal Medicaid program. Under the bill, the exclusion continues until the facility receives Medicaid payment for nursing home services provided.

The bill does not address individuals to whom DSS denies Medicaid. It is unclear how those who file Medicaid applications and are rejected would be accounted for under this bill.

BACKGROUND

Resident Day User Fees

Federal law allows states to impose health care-related taxes, provided such taxes are broad-based and uniformly imposed, though the federal Centers for Medicare and Medicaid Services (CMS) may waive those requirements in certain cases. Connecticut has instituted this tax as a nursing home resident day user fee. Licensed CCNHs and RHNSs must pay this fee, though CMS allowed DSS to waive the requirement for continuing care facilities (i.e., continuing care retirement facilities in which seniors may initially live in an independent apartment and later, when they become frailer, receive assisted living services there or move into an assisted living unit).

Though DSS calculates the fees, DRS collects them. Facilities must pay the fees by the last day of January, April, July, and October, and also submit returns documenting the number of resident days and other information.

COMMITTEE ACTION

Human Services Committee

Joint Favorable Change of Reference

Yea 18 Nay 0 (03/11/2014)

Appropriations Committee

Joint Favorable Substitute

Yea 49 Nay 0 (04/01/2014)